

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CHARLOTTE FLORINDA NAVA,

Plaintiff,

v.

CIV 10-0940 KBM

MICHAEL J. ASTRUE,
COMMISSIONER,
SOCIAL SECURITY ADMINISTRATION,

Defendant.

ORDER GRANTING MOTION TO WITHDRAW
AND
ORDER TO SHOW CAUSE

THIS MATTER came before the Court upon Plaintiff Attorney of Record's Motion to Withdraw as Plaintiff's Attorney (*Doc. 10*). The Court finds that no party has filed an objection to the motion, nor did the Plaintiff's Attorney receive an objection to the motion within the fourteen (14) days following service of the motion. The Court further finds that the motion is well taken and that it should be granted.

The Court has the inherent power to impose a variety of sanctions on litigants in order to, among other things, regulate its docket and promote judicial efficiency. *Martinez v. Internal Revenue Service*, 744 F.2d 71, 73 (10th Cir. 1984). The motion to withdraw recites facts indicating that Plaintiff may no longer desire to pursue this matter. She has neither initiated contact with her attorney and instead failed to contact him despite his numerous requests. Thus, there appears to be a manifest lack of interest on the part of Plaintiff in litigating this matter.

One such sanction within the discretion of the Court is to dismiss an action for want of


prosecution. *E.g.*, *Nat'l Hockey League v. Metro. Hockey Club, Inc.*, 427 U.S. 639, 642-43 (1976); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30 (1962); *see also Costello v. United States*, 365 U.S. 265, 286-87 (1961) (district court may dismiss *sua sponte* for failure to comply with order of court); *United States ex rel. Jimenez v. Health Net, Inc.*, 400 F.3d 853, 855 (10th Cir. 2005) ("dismissal is an appropriate disposition against a party who disregards court orders and fails to proceed as required by court rules."). Plaintiff therefore will be required to show cause why this case should not be dismissed.

IT IS HEREBY ORDERED that the Motion to Withdraw is granted and that the Plaintiff is deemed to be appearing *Pro Se* henceforth.

IT IS FURTHER ORDERED that the Defendant may contact the Plaintiff directly at the following last known address and telephone number:

205 B 60TH Street, NW
Albuquerque, NM 87105
(505) 489-4363

IT IS FINALLY ORDERED that no later than March 11, 2011, Plaintiff must file with the Court a response to this order showing cause why this case should not be dismissed and must serve a copy on Defendant. Plaintiff is also hereby notified that failure to respond to this Order may result in dismissal without further notice.


Honorable Karen B. Molzen
United States Magistrate Judge